

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

ROBERT C. JORDAN

CIVIL ACTION NO. 07-1815

VS.

JUDGE HAIK

THE STANDARD FIRE INS. CO.

MAGISTRATE JUDGE METHVIN

JURISDICTIONAL AMOUNT REVIEW

This diversity case was removed from a local state court pursuant to 28 U.S.C. § 1332.

As required by a standing order of this court, the undersigned has reviewed the record to determine whether the required jurisdictional amount has been established.

Plaintiff alleges the following: Defendant issued a policy insuring a 1989 Searay Sportfish boat, 43.5 feet long. The vessel was damaged as a result of Hurricane Rita while it was stored at Cypremort Point, Iberia Parish. Defendant ultimately tendered the sum of \$56,118.76 on June 26, 2006 which did not compensate plaintiff for his damages. Prior to the June 26 tender, defendant arranged for the boat to be transferred by a third party contractor to Seabrook Marine in New Orleans. The boat was improperly transported causing damage. The plaintiff further alleges that “[i]f is not enough, while the vessel was stored at Seabrook Marine in New Orleans, on February 16, 2007 a tornado damaged the vessel further.” (Complaint, para. 13).

Plaintiff alleges that, as a result, the boat is “full of mold, is corroded, dilapidated and deteriorated to the extent of being a total constructive loss.” (Complaint, para. 19). Plaintiff alleges that the “culmination of damage to the vessel may require [its] replacement by defendant in lieu of repair and payment of the full amount of coverage without deduction for depreciation.”

(Id. para. 20). Plaintiff also claims storage fees and penalties plus reasonable attorney's fees and costs pursuant to La. R. S. 22:658.

Defendant states that the policy limit for physical damage is \$170,000 and that “[p]laintiff claims defendant is liable for estimated repairs of \$236,095.26.” (Notice of Removal, paras. 3, 10).

Considering the foregoing, the undersigned concludes that the required jurisdictional amount has been established, and no further briefing is required.

Signed at Lafayette, Louisiana, on December 26, 2007.



Mildred E. Methvin
United States Magistrate Judge
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